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9 Attorneys for Defendants RESOURCE
DEVELOPMENT SERVICES, INC. and JAMES
10 LUCERO

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

15 NATIONAL UNION FIRE INSURANCE
16 COMPANY OF PITTSBURGH,

17 Plaintiff,

18 v.

19 RESOURCE DEVELOPMENT SERVICES,
INC. et al.,

20 Defendants.
21

CASE NO. C-10-01324 JF

**STIPULATION AND ~~[PROPOSED]~~
ORDER EXTENDING TIME FOR
DEFENDANTS RESOURCE
DEVELOPMENT SERVICES, INC.
AND JAMES LUCERO TO ANSWER OR
OTHERWISE RESPOND TO SECOND
AMENDED COMPLAINT**

22
23 **STIPULATION**

24 WHEREAS plaintiff National Union Fire Insurance Company of Pittsburgh ("National
25 Union") filed its original complaint in this action on March 29, 2010;

26 WHEREAS plaintiff National Union filed a First Amended Complaint on June 1, 2010;

27 WHEREAS the Court dismissed plaintiff's First Amended Complaint with leave to amend
28 on November 5, 2010;

1 WHEREAS plaintiff filed a Second Amended Complaint on January 14, 2011;

2 WHEREAS defendants RDS and James Lucero must answer or otherwise respond to the
3 Second Amended Complaint on or before January 31, 2011 pursuant to the Federal Rules of Civil
4 Procedure;

5 WHEREAS plaintiff's counsel does not object to extending the time in which defendants
6 RDS and James Lucero may answer or otherwise respond to the Second Amended Complaint;

7 WHEREAS the next hearing in this matter is presently scheduled for April 15, 2011;

8 IT IS HEREBY AGREED AND STIPULATED that the deadline by which defendants
9 RDS and James Lucero must answer or otherwise respond to the First Amended Complaint should
10 be extended to February 10, 2011.

11 IT IS SO STIPULATED.

12 DATED: January 31, 2011

/s/ Josh Cohen

MARTIN A. SABELLI

JOSH A. COHEN

Attorneys for Defendants Resources Development
Services, Inc. and James Lucero

16 DATED: January 31, 2011

ROPER, MAJESKI, KOHN & BENTLEY


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Attorneys for Plaintiff

20 **ORDER**

21 By stipulation, and for good cause shown, it is hereby ordered that defendants Resources
22 Development Services, Inc. and James Lucero shall have until February 10, 2011 to answer or
23 otherwise respond to the Second Amended Complaint.

24 IT IS SO ORDERED.

25 DATED: 2/10, 2011


JEREMY FOGEL

UNITED STATES DISTRICT JUDGE